

Remarks

The Office Action mailed February 26, 2008 has been carefully considered. Independent apparatus Claims 1; 53; 77; and independent method Claims 151; 152; and 153 have been amended to further clarify that the present invention is a “pull” system rather than the “push” prior art (Virgin) cited by the Examiner as the primary reference. Thus, apparatus Claims 1-52; 53-76; and 77-150; and corresponding method Claims 151; 152; and 153 remain in the case with none of the claims having been allowed.

The Office Action rejected Claims 1-153 as being unpatentable under 35 U.S.C. 103 by U.S. Patent No. 6,826,542 to Virgin *et al.* (“Virgin”) in view of U.S. Patent No. 6,052,674 to Zervides (“Zervides”). Reconsideration and allowance is respectfully requested in view of the following remarks..

U.S. Patent No. 6,826,542 to Virgin *et al.* is a central invoicing system. Customers (payors) and invoicers can use the central invoicing system by connecting to it by a network, such as the Internet, and using an interaction device, such as a personal computer with web browsing software. Customers can create, on the central invoicing system, a list of invoicers from whom they wish to receive invoices. The system sends invitations, including a user name and password, to the selected invoicers to enroll with the central invoicing system. The system provides invoicers with a facility to enroll with the central invoicing system over the Internet. Customers can also customize the format of the invoices they are to receive from the selected invoicers.

The central invoicing system of Virgin stores each customer's particular invoicing format on a server. The system allows an invoicer to connect to the system through the Internet to create invoices. The invoicer can then submit that invoice to the customer through the system. The system formats the invoice according to the customer's desired invoice format and transmits the invoice to the customer's financial system. The system may also retain the invoice on the server and notify the appropriate customer. This is known as “push” system and is discussed in Applicant's specification (see e.g. page 5, lines 16-25). Its limitations are also discussed therein.

Once notified, the customer may access the central invoicing system to view, process, and approve the invoice. If the customer approves the invoice, the invoice is transmitted to the customer's financial system. At no time can the customer access the invoicer's sites directly.

The present inventions are directed to a simple, straight forward system and method of automated electronic invoicing and payment that directly involves the invoicer and the customer by allowing customers to go to a single portal or bank site, review a summary of all of their bills at that single portal or bank site, and then go to directly each invoicers' websites or entities acting on behalf of said invoicers. The present inventions permit presentation of truly current data to the customer while, at the same time, provides timely payment to the invoicer. Also, since there is no need for a third party payment engine, the invoicer gains lower cost per transaction and can control "branding" at the URL or portal rather than having to show the banner ads of a third party provider.

As set forth in each of the independent claims, as amended, the present inventions include a data pulling component installable on at least two invoicers' web sites or on web sites of entities working on behalf of the invoicers for reading each invoicer's data, packaging the invoicer's data and sending the data to the remote customer interface in response to customer data requests.

Such a component or method using such a component allows the invoicer to put summary data for inclusion in a list of bills, and then allow secondary presentation points to retrieve the data ("pull" model) from each invoicer's site or entities acting on behalf of said invoicers for presentation. Thus, invoicers are able to make their summary data available for the consolidators to retrieve dynamically, rather than the current "push" consolidation technique as set forth in the primary reference cited by the Examiner (Virgin), to ensure the most current data. Thus, it is respectfully submitted that the claims, as amended, are patentable over the cited references and consistent with recent holdings by the Supreme Court.

The Applicant submits that by this response, he has placed the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains

unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,



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